

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

In re:

**TIMOTHY JEROME ALSTON and WANDA  
ANN ALSTON**

S.S. Nos.: xxx-xx-3530 and xxx-xx-5666  
Mailing Address: 101 QUEEN FERRY CT, Durham, NC 27712-

**Case No. 10-81356**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on July 30, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 18, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)				Date: 7/22/10	Lastname-SS#: Alston-3530		
RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN				SURRENDER COLLATERAL			
Retain	Creditor Name	Sch D #	Description of Collateral	Creditor Name	Description of Collateral		
	Verizon Wireless		Cell Phone				
	Car Financial (Son Pays)		1999 Chevrolet Suburban				
ARREARAGE CLAIMS				REJECTED EXECUTORY CONTRACTS/LEASES			
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)	Creditor Name	Description of Collateral	
				**			
				**			
				**			
				**			
	1st DOT- Beneficial	1	\$5,926	**			
				**			
			**				
			**				
1st DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	1st DOT- Beneficial	1	\$1,901	N/A	n/a	\$1,901.00	House and Land
	Durham County	1	\$250	N/A	n/a	\$250.00	House and Land
				N/A	n/a		
				N/A	n/a		
SD - SECURED DEBTS @ FMV							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
SD - SECURED DEBTS @ 100%							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Non-910-Wells Fargo	7	\$9,541	5.00	\$95	\$223.78	2004 Toyota Tundra
				5.00			
				5.00			
				5.00			
				5.00			
ATTORNEY FEES ( unpaid part)							
Law Offices of John T. Orcutt, P.C.				Amount			
\$2,800							
SECURED TAXES				Secured Amt			
IRS Tax Liens							
Real Property Taxes on Retained Realty							
UNSECURED PRIORITY DEBTS				Amount			
IRS Taxes				\$3,519			
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
CO-SIGN PROTECT (Pay 100%)		Int. %	Payoff Amt				
All Co-Sign Protect Debts (See*)							
GENERAL NON-PRIORITY UNSECURED				Amount			
DMI=		None(\$0)	None(\$0)				
Other Miscellaneous Provisions							
Plan to allow for 3 "waivers".							

## **CERTIFICATE OF SERVICE**

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s WILLIAM MCDONALD  
WILLIAM MCDONALD

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	Internal Revenue Service (ED)** Post Office Box 21126 Philadelphia, PA 19114-0326	Capital One Bank** Post Office Box 30285 Salt Lake City, UT 84130-0285
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Car Financial Services 59 Skyline Drive # 1700 Lake Mary, FL 32746
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Absolute Collection Service ** 421 Fayetteville Street Mall Suite 600 Raleigh, NC 27601	Chase ** Cardmember Service Post Office Box 15298 Wilmington, DE 19850-5298
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	AFNI, Inc. Post Office Box 3097 Bloomington, IL 61701-3097	Child Support Enforcement Post Office Box 20800 Raleigh, NC 27619-0800
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	American General Financial Services PO Box 3251 Evansville, IN 47731	CitiBank c/o Midland Credit Management Dept. 12421 PO Box 603 Oaks, PA 19456
Experian P.O. Box 2002 Allen, TX 75013-2002	Bank of America Post Office Box 15026 Wilmington, DE 19850-5026	Citifinancial Post Office Box 140069 Irving, TX 75014
Innovis Data Solutions Attn: Consumer Assistance P.O. Box 1534 Columbus, OH 43216-1534	Beneficial Post Box 3425 Buffalo, NY 14240-9733	Client Services, Inc. 3451 Harry Truman Blvd. Saint Charles, MO 63301-4047
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Beneficial PO Box 8873 Virginia Beach, VA 23450-8873	Credit Financial Services Post Office Box 451 Durham, NC 27702-0451
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Capital One Auto Finance Post Office Box 261930 Plano, TX 75026-1930	Dish Network Dept. 0063 Palatine, IL 60055-0063

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

GMAC  
Post Office Box 7041  
Troy, MI 48007-7041

Sears  
Post Office Box 6283  
Sioux Falls, SD 57117-6283

Equable  
5 Revere Drive, Ste 206  
Northbrook, IL 60062

Home Depot \*\*  
P.O. Box 653000  
Dallas, TX 75265-3000

Sheffield Financial  
6010 Golding Center Drive  
Winston Salem, NC 27103

Firstsource Advantage, LLC  
205 Bryant Woods South  
Amherst, NY 14228

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

GEMB  
Post Office Box 103104  
Roswell, GA 30076

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Verizon  
3 Verizon Place  
Mail Code #3B1  
Alpharetta, GA 30004

GEMB/JCPenney  
Post Office Box 103104  
Roswell, GA 30076

Macy's  
Post Office Box 8108  
Mason, OH 45040-8103

Wells Fargo Dealer Services, Inc  
Attn: Correspondence  
MAC T9017-026  
PO Box 168048  
Irving, TX 75016-8048

GEMB/Lowe's  
Post Office Box 103104  
Roswell, GA 30076

National Enterprise Systems  
29125 Solon Road  
Solon, OH 44139-3442

WFNNB/Victoria's Secret  
Post Office Box 182125  
Columbus, OH 43218-2125

GEMB/Tweet  
Post Office Box 103104  
Roswell, GA 30076

NCO Financial Systems  
507 Prudential Road  
Horsham, PA 19044

GEMB/Walmart  
Post Office Box 103104  
Roswell, GA 30076

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Genpact Services, LLC  
Post Office Box 1969  
Southgate, MI 48195-0969

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168